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**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA**

13 TAMI WENZEL, CASE NO. CV F 02-6210 REC LJG

14 Plaintiff,

CASE NO. CV F 02-6210 REC LJO

**ORDER AFTER APPELLATE DECISION**  
(Doc. 34.)

15 || vs.

16 JO ANNE B. BARNHART, Commissioner  
of Social Security,

Defendant.

19 Plaintiff Tami Wenzel (“plaintiff”) sought judicial review of an administrative law judge’s  
20 (“ALJ’s”) January 31, 2002 decision to deny plaintiff’s claims for disability insurance benefits and  
21 Supplemental Security Income under Titles II and XVI of the Social Security Act (“Act”), 42 U.S.C. §§  
22 401-433 and 1381-1382c. After review of the Administrative Record and the parties’ papers, the  
23 magistrate judge issued February 18, 2004 findings and recommendations to DENY plaintiff’s request  
24 to reverse the ALJ’s decision denying plaintiff’s claims for disability insurance benefits and SSI, or  
25 alternatively, to remand for consideration of new evidence. This Court adopted the magistrate judge’s  
26 findings and recommendations with its March 22, 2004 order, and a March 23, 2004 judgment was  
27 entered in favor of defendant Jo Anne B. Barnhart, Commissioner of Social Security, and against  
28 plaintiff.

1       After plaintiff appealed this Court's judgment, the Ninth Circuit Court of Appeals entered its  
2 March 13, 2006 judgment to reverse this Court with instructions to award benefits. In accordance with  
3 the Ninth Circuit's judgment, this Court ORDERS that the Administrative Law Judge's January 31, 2002  
4 decision is REVERSED and that this action is REMANDED for calculation and payment of benefits to  
5 plaintiff.

6 IT IS SO ORDERED.

7 **Dated:** May 11, 2006  
668554

/s/ Robert E. Coyle  
UNITED STATES DISTRICT JUDGE

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